

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
PAN AMERICAN AIRWAYS CORP.,)	
)	
Plaintiff/Counter-Defendant)	
)	
v.)	Case No. 04-CV-10515JLT
)	
ROBERT E. BARNES)	
)	
Defendant/Counter-Plaintiff)	
_____)	


AFFIDAVIT

I, Robert E. Barnes, hereby declare that

- 1.) At no time during my employment with PanAm did I intentionally or knowingly fail to perform my duties.
- 2.) I performed my duties to the best of my abilities and with the intent to benefit PanAm at all times during my employment.
- 3.) At no time during my employment with PanAm did I have the intent to permanently or indefinitely deprive PanAm of the use of any of its property or possessory rights.
- 4.) At no time during my employment with PanAm did I have the intent cause any damage or impairment of use of any of PanAm's property or possessory rights.

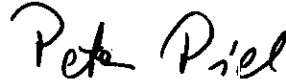
SIGNED UNDER THE PENALTIES OF PERJURY.

9/26/04
Date


Robert E. Barnes
Defendant/Counter-Plaintiff

Certificate of Service

I, Peter Piel, hereby certify that a true copy of the above document was served upon John Nadolny, the attorney of record for the plaintiff, by U.S. mail, postage prepaid on this 21st day of September 2004.

A handwritten signature in black ink that reads "Peter Piel". The signature is written in a cursive style with a horizontal line underneath it.

Peter Piel
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